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10/598,654	03/21/2007	Philip Edgar Vasey	760-022	8537
34845	7590	04/01/2009		
Anderson Gorecki & Manaras LLP				
33 NAGOG PARK				
ACTON, MA 01720				
EXAMINER				
STORK, KYLE R				
ART UNIT		PAPER NUMBER		
2178				
NOTIFICATION DATE		DELIVERY MODE		
04/01/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/598,654

Applicant(s)

VASEY, PHILIP EDGAR

Examiner

KYLE R. STORK

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 07 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 3.21.07
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Inventor's Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This non-final office action is in response to the application filed 7 September 2006.
2. Claims 1-29 are pending. Claims 1, 15, and 16 are independent claims.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 21 March 2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

4. The examiner accepts the drawings filed 7 September 2006.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 16-21 and 24-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per independent claim 16, the applicant claims a "script generation system" comprising "a synthesizer (line 3)" and a "determinator (line 7)." Both the synthesizer and determinator are software components of the system. Therefore, the applicant's claimed system constitutes a software system. Such systems are non-statutory, as they fall outside the protection of 35 USC 101. A software system is neither a method, machine, manufacture, nor composition of matter. Therefore, the applicant's claimed software system is non-statutory.

As per claims 17-21 and 24-29, the applicant fails to cure the deficiencies of independent claim 16. Therefore, claims 17-21 and 24-29 are similarly rejected.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Maes et al. (EP 1100013, published 16 May 2001, hereafter Maes).

As per independent claim 1, Maes discloses a method of generating invocation sequences of update function to update elements of a form, the method comprising the steps of:

supplying update functions to a synthesizer (paragraph 0018)

identifying trigger elements from the elements of the form in the update functions that trigger the invocation of the update function (paragraphs 0018 and 0022)

generating an activation network based on the update functions at the synthesizer (paragraphs 0018, 0022, and 0108-0109)

determining the invocation sequence of update functions for each trigger element (paragraphs 0018, 0022, and 0108-0109: Here, upon identifying an update function, the CML interpreter determines the CML function to be invoked to handle the update).

As per dependent claim 2, Maes discloses wherein the trigger elements are determined by at least one of the value or status of the elements of the form (paragraphs 0018 and 0022: Here, the value of the element triggers actions).

As per dependent claim 3, Maes discloses wherein the activation network includes cyclic update functions (paragraph 0018).

As per dependent claim 4, Maes discloses exporting the update functions and the invocation sequence to a form render in a readable format (paragraph 0022: Here, the data is sent to a browser in a mark-up language, so that the data may be rendered and displayed to a user in a readable format).

As per dependent claim 5, Maes discloses wherein the update function are validation function (paragraphs 0061-0064 and 0087).

As per dependent claim 6, Maes discloses wherein the update function are activation functions (paragraphs 0110-0117).

As per dependent claim 7, Maes discloses wherein the synthesizer is stored on a server computer (paragraph 0017).

As per dependent claim 8, Maes discloses wherein the synthesizer is stored on a client computer (paragraph 0017).

As per dependent claim 9, Maes discloses wherein the synthesizer forms part of a middleware application, located between a server computer and a client computer (Figure 5a).

As per dependent claim 10, Maes discloses wherein the synthesizer is integrated with the form renderer (paragraph 0022: Here, the synthesizer is incorporated with a browser, which renders the form data).

As per dependent claim 11, Maes discloses wherein the form render is a web browser application (paragraphs 0018 and 0022).

As per dependent claim 12, Maes discloses wherein the update functions are supplied by one of a database engine and a form renderer (paragraph 0061).

As per dependent claim 13, Maes discloses wherein the step of determining the invocation sequence involves determining the order in which the update functions must be executed within the activation network (paragraphs 0110-0117).

As per dependent claim 14, Maes discloses the method further comprising:
entering data to change the status of a first form element (paragraphs 0022 and 0084: Here, the data may change a default value of a form element)

determining the position of the first form element in the activation network (paragraphs 0022 and 0084)

triggering the update functions associated with the first form element to update the status of a second form element (paragraphs 0022 and 0084: Here, if the default

value of 'yes' is changed, the value of a second form element
'travelCenter.hotel.selected' is modified by a user).

As per claim 15, the applicant discloses the limitation substantially similar to those in claim 1. Claim 15 is similarly rejected.

As per claims 16-29, the applicant discloses the limitations substantially similar to those in claims 1-14, respectively. Claims 16-29 are similarly rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle Stork/

Kyle R Stork
Primary Examiner
Art Unit 2178

krs